

BRUCHMANN et al
Serial No. 10/510,438
March 13, 2008

REMARKS

By way of the amendment instructions above, prior claims 19-29, directed to a patentably distinct non-elected invention, have been cancelled. Cancellation of such claims has however been effected without prejudice to the applicants' rights under 35 USC §121.

A Notice of Appeal and an Appeal Brief addressing the errors with regard to the "final" rejection of claims 1 and 3-12 are being filed concurrently herewith. As such, entry of the present amendment under 37 CFR §§1.116 and 41.33(b)(1) is believed to be in order so as to reduce issues on appeal.

Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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